



# UNITED STATES PATENT AND TRADEMARK OFFICE

1

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,799	03/10/2004	Arpita I. Mehta	4239-67983-01	5611
36218 7590 08/09/2007 KLARQUIST SPARKMAN, LLP 121 S.W. SALMON STREET SUITE #1600 PORTLAND, OR 97204-2988			EXAMINER GROSS, CHRISTOPHER M	
			ART UNIT 1639	PAPER NUMBER
			MAIL DATE 08/09/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO. <b>10798799</b>	FILING DATE <b>3/10/2004</b>	FIRST NAMED INVENTOR <b>MEHTA ET AL.</b>	ATTORNEY DOCKET NO. <b>4239-67983-01</b>
------------------------------------	---------------------------------	---	---

KLARQUIST SPARKMAN, LLP  
121 S.W. SALMON STREET  
SUITE #1600  
PORTLAND, OR 97204-2988

**EXAMINER**

Christopher M. Gross

**ART UNIT****PAPER**

1639

20070724

**DATE MAILED:**

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

see attached.

### COMMUNICATION

The reply filed on 5/29/2007 is not fully responsive to the prior Office Action because a complete reply must unambiguously identify which of the newly added claims (51-55) fully embrace (read on) all of the elected species including: laser capture microdissection (From claims 3-6); reversed phase protein microarray analysis (From claims 10-13); a normal cell (From claims 14-16); same subject (From claims 17-19); abnormal growth (From claim 21); post-translational modification (From claims 22-23); EGFr phosphorylation and non-voltage gated calcium ion channels (From claim 26); specific Cox-2 inhibitor and carboxyamidotriazole (CAI) (From claims 30-35); a growth factor pathway (From claim 38), as elected on 10/31/2006.

The reply filed 5/29/2007, see p 10 indicates claims 51-55 as "at least partially reading on the elected species," which is not in accordance with MPEP § 809.02(a) (e.g., see 10/13/2006 Restriction, page 6, 2<sup>nd</sup> and 3rd full paragraphs) which require a listing of all claims readable the elected species, including any claims subsequently added.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE(1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Gross whose telephone number is (571)272-4446. The examiner can normally be reached on M-F 9-5:30.

Art Unit: 1639

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. Douglas Schultz can be reached on 571 272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher M Gross  
Examiner  
Art Unit 1639

cg

/Jon D. Epperson/  
Primary Examiner, AU 1639